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Attorney for Plaintiff
WAYNE BERRY

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

WAYNE BERRY, a Hawaii citizen;)	Civ. No. CV03 00385 SOM-LEK
)	(Copyright)
Plaintiff,)	
)	ERRATA TO DECLARATION OF
vs.)	TIMOTHY J. HOGAN FILED ON
)	FEBRUARY 10, 2006, AS
HAWAIIAN EXPRESS SERVICE,)	DOCUMENT NO. 794;
INC., a California corporation; et al.)	CERTIFICATE OF SERVICE
)	
Defendants.)	
_____)	

**ERRATA TO DECLARATION OF TIMOTHY J. HOGAN
FILED ON FEBRUARY 10, 2006, AS DOCUMENT NO. 794**

COMES NOW, Plaintiff Wayne Berry, by and through his undersigned
counsel and hereby respectfully submits an errata to the Declaration of Timothy J.
Hogan filed on February 10, 2006, as Document No. 794.

The Exhibit that was filed as Exhibit "2" was not labeled. A true and correct replacement for Exhibit "2" is attached hereto. Exhibit "3" was mislabeled as Exhibit "4." A true and correct replacement is attached hereto.

The rest of the Exhibits are true and correct.

DATED: Honolulu, Hawai'i, February 13, 2006.

/s/ Timothy J. Hogan
TIMOTHY J. HOGAN
Attorney for Plaintiff WAYNE BERRY

the versions of "2003 Excel Spreadsheets" software system that was produced in discovery in December of 2003 and another version produced by the PCT in April of 2005 to the one allegedly examined by Mr. Walker in preparation of his Report. The foundation for these versions are set forth in the Declaration of Timothy J. Hogan at paragraphs 3 & 4 and Exhibit "A."

2. Exhibit "1" attached is a true and correct copy of a worksheet I made to of the elements of the table contained on page 17 of Walker's report. For each statement regarding a measurable fact pertaining to the software, I stated whether I agreed or disagreed with Walker's statement. If I disagree then I also stated what I found in the evidence and supported that finding with an additional Exhibit or reference to an Exhibit.

a. Line "3" of Exhibit "1" shows that Walker counted 64 tables in my FCS1993 but I counted 69 as shown in Exhibit "4".

b. Line "4" of Exhibit 1 shows that Walker counted 1,334 fields in my FCS1993 but I counted 1,356 fields.

c. Line "5" and "6" of Exhibit "1" shows that Walker identified "Excel" as the "underlying program" in the "2003 Excel Spreadsheets" replacement system for my FCS1993 software. I found Microsoft Excel and Microsoft Access as shown in Exhibit "3".

d. Lines "7" and "8" of Exhibit "1" shows that Walker found the number of files to be "4 spreadsheet files". I found 1 Microsoft Access database file and 8 Microsoft Excel spreadsheet files in the replacement system as shown in Exhibits "3", "5", "6" and "7".

e. Lines "9", "10" and "11" of Exhibit "1" shows that Walker found the number of top level elements to be "13 worksheets". I found 1 Microsoft Access database file and 8 Microsoft Excel spreadsheet files in the replacement system as shown in Exhibits "6", "7" and "8".

f. Lines "12", "13" and "14" of Exhibit "1" shows that Walker found the number of the number of sub elements to be "260 columns". I found 133 native Microsoft Access fields, 365 Microsoft Excel columns linked into the Microsoft Access database and only 66 stand-alone Microsoft Excel columns in the replacement system as shown in Exhibit "2".

3. Exhibit "2" is a true and correct copy of a worksheet I made to tabulate the voluminous contents of the "2003 Excel Spreadsheets" replacement system produced in response to Discovery requests in December of 2003.